



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,765	11/18/2003	Robert E. Sinclair II	304557.01	5254
22971 7590 08/27/2008 MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052-6399				
EXAMINER				
SAINT CYR, LEONARD				
ART UNIT		PAPER NUMBER		
2626				
NOTIFICATION DATE		DELIVERY MODE		
08/27/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com

ntovar@microsoft.com

### Office Action Summary

**Application No.**

10/715,765

**Applicant(s)**

SINCLAIR, ROBERT E.

**Examiner**

LEONARD SAINT CYR

**Art Unit**

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 24 - 26, 32, 37, 45-47 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 24 - 26, 32, 37, 45-47 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 24 – 26, 32, 37, and 45 -47 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Ron do not teach removing one or more user interface configuration options that is settable by the user to configure behavior of the user interface, the removing comprising causing the one or more user interface configuration options to not be settable, among other user interface configuration options, by the user (Amendment, page 7).

The examiner agrees, but this newly claim limitation is rejected in view of new ground of rejection. See claim rejection below.

Applicant argues that Bear et al., do not teach sticky keys (Amendment, page 7).

The examiner agrees, but this newly claim limitation is rejected in view of new ground of rejection. See claim rejection below.

### ***Claim Objections***

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims

are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 44 – 46 have been renumbered 45 – 47, respectively.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 24 – 26, 32, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ron (US Patent 5,647,834) in view of Grunwald et al., (US PAP 2002/0173721).

As per claims 24, and 25, Ron teaches one or more computer- readable media having executable instructions stored thereon that, when executed, implement a method comprising:

providing a plurality of computing device features to a user; detecting when an anxiety level of the user has increased, simplifying the plurality of features provided to the user in response to the increased level of user anxiety (“anxiety as interpreted from heart rate change”...reducing his heart rate and thus changing the content; col.7, lines 30 – 40).

However, Ron does not specifically teach that simplifying comprising removing one or more user interface configuration options that is settable by the user to configure behavior of the user interface, the one or more user interface configuration options comprising user interface components that can be manipulated to set options affecting

behavior of the user interface, the removing comprising causing the one or more user interface configuration options to not be settable among other user interface configuration options, by the user.

Grunwald et al., teach that in order to minimize the time for setting up and configuring the system the user interface may provide for application and/or user dependent presets, which are optimized based on several factors (e.g., user behavior) [ paragraph 22, lines 1 – 5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system user interface based on user behavior as taught by Grunwald et al., in Ron, since it may be desirable in devices the user interface allows for quick and efficient interaction supported intelligent user interface behavior, context sensibility...and the ability to self adapt to user behavior (Grunwald et al., paragraph 12, last six lines).

As per claim 25, Ron in view of Grunwald et al., further disclose simplifying the plurality of features occurs automatically (Grunwald et al., "ability to self adapt to user behavior" paragraph 12, last two lines).

As pr claim 26, Ron in view of Grunwald et al., further disclose determining whether the user wants the plurality of features to be simplified (Grunwald et al., paragraph 16).

As pr claims 32, and 45, Ron in view of Grunwald et al., further disclose that the anxiety level is detected via a galvanic skin response strip (Ron, col.2, line 15).

As pr claim 456, Ron in view of Grunwald et al., further disclose simplifying further comprising displaying a hint, wizard, or help assistant (paragraph 178).

4. Claims 37, and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Steichen et al., (US PAP 2002/0118223).

As per claims 37, and 47, Steichen et al., teach a system for interacting with a user, comprising:

a keyboard configured to enter data into the system, said keyboard including a plurality of keys; one or more sensors to detect that the user has difficulty in pressing multiple keys simultaneously; an engine configured to query the user regarding whether the user wants to enable a sticky keys mode; and wherein the engine is further configured to enable the sticky keys mode if the user indicated that the user wants to enable the sticky keys mode ("directly query and modify the agent's current state"), the sticky keys mode comprising a mode wherein when a keyboard key is depressed and released the system operates as though the keyboard key is continuously depressed until a keyboard key is again depressed and released ("by gathering evidence from such behaviors and using a threshold value, the learning program determines whether this user would find "Sticky Keys" useful"; paragraphs 12, and 26).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see PTO- 892 (attached).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **LEONARD SAINT CYR** whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571)-272-1000.

LS  
08/21/08

/Richmond Dorvil/  
Supervisory Patent Examiner, Art Unit 2626